



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 6, 2022

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/6/2022
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MEMORANDUM ENDORSED

VIA ECF

Hon. Gregory H. Woods
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Xu v. Cardinale*, No. 22 Civ. 6687 (GHW)

Dear Judge Woods:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate three Refugee/Asylee Relative Petitions (Forms I-730). On behalf of the government, I write respectfully to request a sixty-day extension of the time to respond to the complaint (*i.e.*, from October 12, 2022, to December 12, 2022).¹ In addition, I respectfully request that the deadline for the initial pretrial conference presently scheduled for November 7, 2022, be rescheduled to the week of December 27, 2022, or thereafter (with a corresponding extension of time for the preconference submission).

I respectfully request this extension because USCIS is in the process of transferring the files to the appropriate office for review and needs additional time to consider next steps, which may include a Request for Evidence, Notice of Intent to Deny, or other adjudicatory action that could render this matter moot. This is the government’s first request for an extension of the deadline to respond to the complaint and an adjournment of the pretrial conference. Plaintiff consents to these requests.

¹ Given that a sixty-day extension falls on Sunday, December 11, 2022, the deadline would be extended to Monday, December 12, 2022. *See* Fed. R. Civ. P. 6(a)(1).

I thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: s/ Jacqueline Roman
JACQUELINE ROMAN
Special Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (347) 714-3363
E-mail: jacqueline.roman@usdoj.gov
Attorney for Defendant

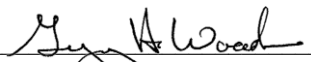
cc: Counsel of record (via ECF)

Application granted. The Government's October 6, 2022 request to extend the time to answer or otherwise respond to the complaint and to adjourn the initial pretrial conference, Dkt. No. 7, is granted. The deadline for the Government to answer or otherwise respond to the complaint is December 12, 2022. The initial pretrial conference scheduled for November 7, 2022 is adjourned to January 4, 2023 at 3:00 p.m. The joint status letter and proposed case management plan described in the Court's August 25, 2022 order are due no later than December 28, 2022.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 7.

SO ORDERED.

Dated: October 6, 2022
New York, New York



GREGORY H. WOODS
United States District Judge